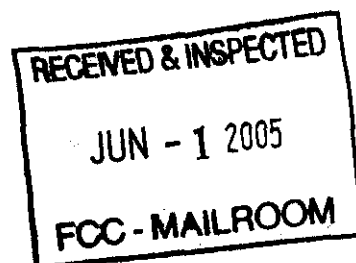


DOCKET FILE COPY ORIGINAL

May 25, 2005



Ms. Marlene Dortch  
Federal Communications Commission  
Office of the Secretary  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Petition for Rule Making  
Yale, Oklahoma

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of my  
Petition for Rule Making for Channel 297A at Yale,  
Oklahoma.

Respectfully submitted,

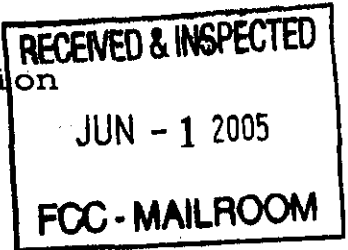
A handwritten signature in black ink, appearing to read "Charles Crawford".

Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205  
(214) 642-6410

Yale Cover

No. of Copies rec'd 0+4  
List ABCDE  
MB 05-55

Before the  
Federal Communications Commission  
Washington, D.C. 20554



In the Matter of )  
 )  
Amendment of 73.202(b) ) MB Docket No. \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations )  
(Yale, OK) )

To: Office of the Secretary  
Attn: Assistant Chief, Audio Division,  
Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 297A to Yale, Oklahoma.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 297A to Yale, Oklahoma as that community's first local FM service. Yale is an incorporated community with a population of 1,342 people.<sup>1</sup> Yale has its own mayor, its own schools,<sup>2</sup> public library,<sup>3</sup> fire department,<sup>4</sup> City

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<sup>1</sup> U.S. Census 2000

<sup>2</sup> Yale Public School District, 315 E. Chicago Ave., Yale, Oklahoma 74085. (918) 387-2434.

Hall,<sup>5</sup> post office,<sup>6</sup> police department<sup>7</sup> and a number of local churches. Yale is a community that is certainly deserving of a local FM service. "Local radio stations play an important role in their communities, providing local news, information and entertainment to residents, and generally serving as good corporate citizens in the local community life. This is particularly true in smaller towns, where the radio stations are limited in number. Yet there are still rural areas of our country that do not have even a local radio station."<sup>8</sup> The proposed channel 297A will provide additional diversity and an outlet for local self-expression to Yale residents and therefore is in the public interest.

In order for Channel 297A to be allotted to Yale, Oklahoma, station KHTT Channel 295C at Muskogee, Oklahoma must be reclassified to a C0. (See, Attachment A, Request to Reclassify Statement)

Attached hereto is a channel study confirming that Channel 297A can be allocated to Yale, Oklahoma,

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<sup>3</sup> Yale Public Library, 213 N. Main, Yale, Oklahoma 74085.

<sup>4</sup> Yale Fire Department, 209 N. main St., Yale, Oklahoma. (918) 387-2404.

<sup>5</sup> Yale City Hall, 209 N. main St., Yale, Oklahoma 74085, (918) 387-2406.

<sup>6</sup> U.S. Post Office, 209 W. Broadway Ave., Yale, Oklahoma 74085. (800) 275-8777.

<sup>7</sup> Yale Police Station, 209 N. Main St, Yale, Oklahoma 74085. (918) 387-2403.

<sup>8</sup> Statement of Commissioner Kevin J. Martin, MM & O, MM Docket 99-240, released May 20, 2004.

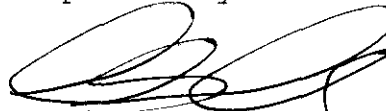
consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment B) Note: the petition to add Channel 297A at Cushing, Oklahoma was dismissed per FCC letter dated May 6, 2005. (See, Attachment C) Reference coordinates for Channel 297A at Yale, Oklahoma are:

36 05 54 N  
96 40 45 W

Should this petition be granted and Channel 297A is allotted to Yale, Oklahoma, Petitioner will apply for Channel 297A at Yale and after it is authorized, will promptly construct the new facility.

The factual information provided in these Comments is correct and true to the best of my knowledge.

Respectfully submitted,



Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205  
(214) 642-6410

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite  
600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036,  
telephone (202) 496-1289, telecopier (301) 762-0156,  
attorney for Charles Crawford. It is requested that the  
Commission and any parties who may file pleadings in the  
captioned matter serve copies to Mr. Bechtel as well as  
Charles Crawford.

May 25, 2005

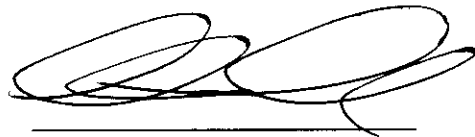
Yale

# CERTIFICATE OF SERVICE

I, Charles Crawford, hereby certify that on this 25<sup>th</sup> day of May, 2005, I caused copies of the foregoing "Petition for Rule Making for Yale, Oklahoma" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Renda Broadcasting Corporation of Nevada  
Station KHTT  
900 Parish St.  
4<sup>th</sup> Floor  
Pittsburgh, PA 15220

Gene Bechtel, Esq.  
Law Offices of Gene Bechtel, P.C.  
1050 17<sup>th</sup> Street, N.W., suite 600  
Washington, D.C. 20036-5517

A handwritten signature in black ink, appearing to read 'Charles Crawford', written over a horizontal line.

Charles Crawford

**Attachment A**

(Request to Reclassify Statement for station KHTT Channel  
295C Muskogee, Oklahoma)

Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205

Petition for Rule making  
FM Channel 297A  
Yale, Oklahoma  
May 25, 2005

**Attachment A**

Request to Reclassify  
Station KHTT(FM), Muskogee, Oklahoma  
Pursuant to MM Docket 98-93

Radio Station KHTT(FM), Muskogee, Oklahoma is licensed to Renda Broadcasting Corporation of Nevada, 900 Parish St., 4<sup>th</sup> Floor, Pittsburgh, PA 15220, (Facility ID 55704), FCC File No. BLH 19820914AJ. The Facility operates with a power of 100 kilowatts with center of radiation 308 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Charles Crawford respectfully requests that the license of Radio Station KHTT(FM) be modified to specify operation on FM Channel 295C0 instead of on FM Channel 295C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

Charles Crawford, the proponent of Channel 297A at Yale, Oklahoma in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KHTT(FM) as a Class C0 facility. Charles Crawford certifies that no alternative channel is available for the service he proposes at Yale, Oklahoma as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Renda Broadcasting Corporation of Nevada, as is required in the above Docket.



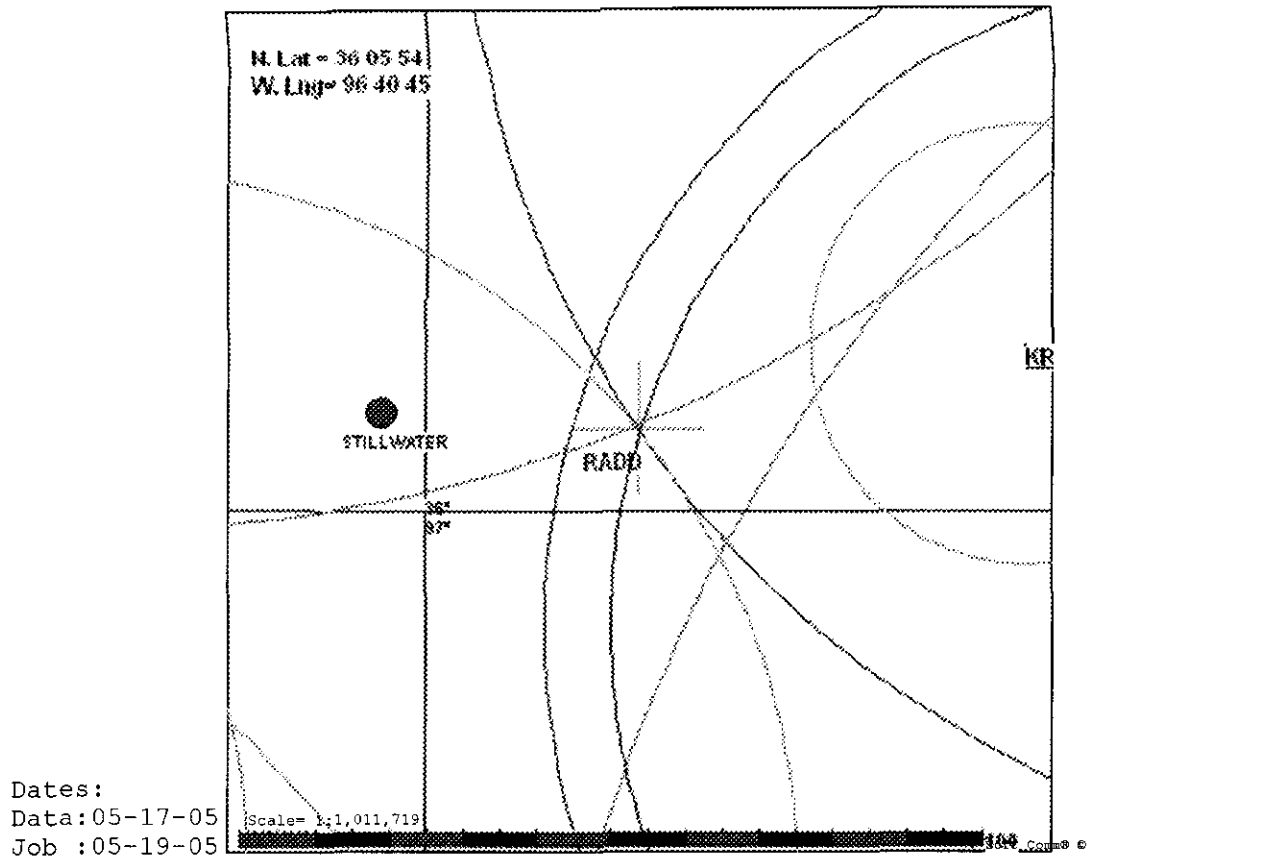
Charles Crawford



**Attachment B**

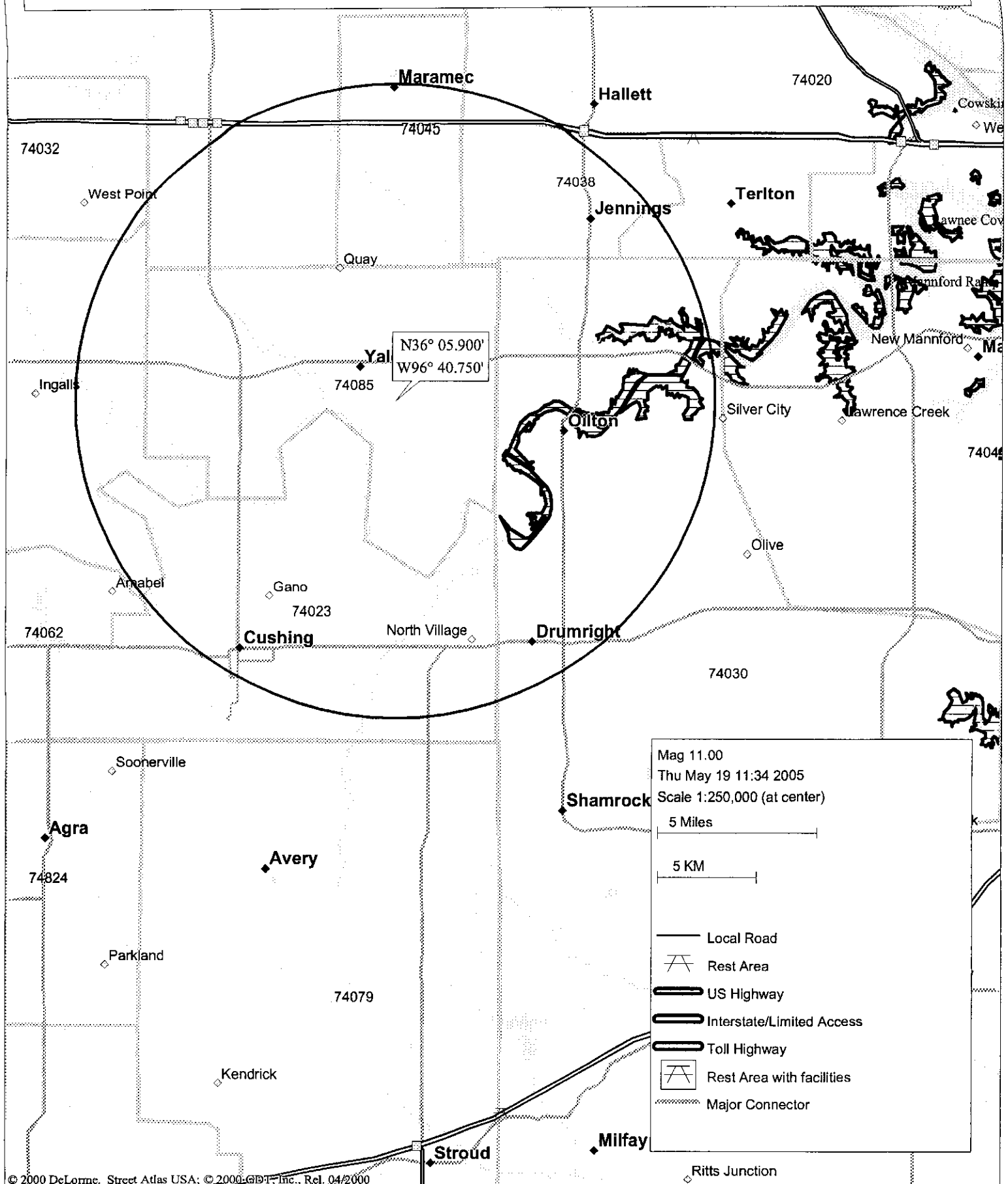
(Channel Study for Channel 297A at Yale, Oklahoma)

FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 297 A 107.3 MHz



Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	297A	ADD	Cushing	OK	10.12	254.4	115.0	-104.88
KHTT	295C*	LIC	Muskogee	OK	86.32	107.5	95.0	-8.68
RDEL	295C	DEL	Muskogee	OK	86.32	107.5	95.0	-8.68
KOSN	298C1	LIC	Ketchum	OK	132.92	55.4	133.0	-0.08
KRXO.A	299C	APP	Oklahoma City	OK	95.16	230.3	95.0	0.16
KRXO	299C*	LIC	Oklahoma City	OK	95.16	230.3	95.0	0.16
RADD	295C0	ADD	Muskogee	OK	86.32	107.5	86.0	0.32
KTHR	297C1	LIC	Wichita	KS	200.54	338.7	200.0	0.54
KOMS	297C	LIC	Poteau	OK	243.86	120.5	226.0	17.86
KRAVFM	243C*	LIC	Tulsa	OK	53.41	78.1	29.0	24.41
KSJM	300C1	RSV	Winfield	KS	135.09	1.9	75.0	60.09
KTUZFM	294C2	LIC N	Okarche	OK	120.42	243.7	55.0	65.42
KVRW	297C2	LIC	Lawton	OK	232.17	226.1	166.0	66.17
KSJM.A	300C1	APP N	Winfield	KS	148.14	360.0	75.0	73.14
KSJM	300C2	LIC	Winfield	KS	128.83	351.1	55.0	73.83

# Yale, OK CH 297A 70 dBu



**Attachment C**

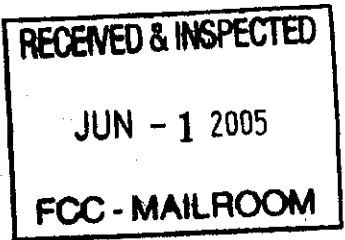
(FCC letter dated May 6, 2005, dismissing the petition to  
add Channel 297A at Cushing, Oklahoma)



Federal Communications Commission  
Washington, D.C. 20554

May 6, 2005

Mr. Charles Crawford  
4553 Bordeaux Avenue  
Dallas, Texas 75205



Dear Mr. Crawford:

This is in response to your petition for rule making you filed requesting the allotment of Channel 297A at Cushing, Oklahoma as the community's first local FM transmission service. To accommodate the allotment, you also requested the reclassification of Station KRXO(FM) at Oklahoma City, Oklahoma, from Channel 299C to Channel 299C0.

We have reviewed your proposal and find that it cannot be considered at this time. Specifically, in answer to an *Order to Show Cause*, the licensee of Station KRXO(FM) timely filed a response stating its intention to file an application to maintain its Class C status. See 19 FCC Rcd 12796 (2004). The application (File No. BPH-20050216ABR) was filed on February 16, 2005, and is pending. Since your proposal requires the reclassification of Station KRXO(FM) to a Class C0 facility, it is now technically infeasible. Accordingly, the proposal is in violation of Section 73.207(b)(1) of the Commission's Rules.

For the reason stated above, we are returning your petition for rule making. You may refile your petition, provided your proposal meets all of the minimum spacing requirements of Section 73.207 of the Commission's Rules.

Sincerely,

John A. Karpousos  
Assistant Chief  
Audio Division  
Media Bureau

Enclosures